

Message Text

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PAGE 01 STATE 034846

21

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TO AMEMBASSY MANAGUA

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E.O. 11652; N/A

TAGS: BPRO, EINV, NU

SUBJECT: GAS POPULAR

REF: MANAGUA 131

1. DEPARTMENT REGRETS DELAY IN RESPONDING TO YOUR REQUEST FOR INSTRUCTIONS IN GAS POPULAR CASE. EMBASSY INVOLVEMENT IN CASE THUS FAR DESERVE COMMENDATION AS EFFECTIVE, PRUDENT DEFENSE OF INTERESTS OF RALPH MOYER AND OTHER AMERICAN STOCKHOLDERS.

2. EMBASSY'S RESPONSIBILITIES ARE COVERED ESSENTIALLY IN 10 FAM 988, AS NOTED IN REFTEL. MORE EXPLICIT STATEMENT FOUND IN 7 FAM 430. APPLICATION OF THE HICKENLOOPER AMENDMENT (SECTION 620(E) OF THE FOREIGN ASSISTANCE ACT) REQUIRES THAT AT LEAST 50 PER CENT OF BENEFICIAL OWNERSHIP BE AMERICAN. FOR GENERAL PROTECTION PURPOSES, HOWEVER, ANY SUBSTANTIAL PROPORTION WHICH MOYER CAN SHOW IS SUFFICIENT. USG IS NOT CONCERNED WITH PROTECTION OF CORPORATE INTERESTS OF GAS POPULAR AS SUCH, SINCE IT IS REGISTERED IN A THIRD COUNTRY. THE BENEFICIAL OWNERS (STOCKHOLDERS), HOWEVER, APPEAR TO BE AMERICAN CITIZENS TO A SUBSTANTIAL DEGREE.

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OUR EFFORTS SHOULD BE DIRECTED TOWARD THE PROTECTION OF

THESE BENEFICIAL INTERESTS OF AMERICAN CITIZENS. SISCO

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